

Mar-17-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 17, 1981
AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Deputy Mayor Mitchell at 8:41 a.m. The meeting was recessed by Deputy Mayor Mitchell at 11:18 a.m. into Closed Session in the Council Conference Room on pending litigation and personnel matters, to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Wilson at 2:10 p.m. with Councilmembers Mitchell, Cleator, Golding, and Williams not present. The meeting was recessed by Mayor Wilson at 3:42 p.m. The meeting was reconvened by Deputy Mayor Mitchell at 4:02 p.m. with Mayor Wilson not present. The meeting was adjourned by Chairperson Killea at 5:42 p.m.

Chairperson Killea announced that at the meeting of Monday, March 23, 1981, the paramedic issue will be continued for two weeks.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Golding-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Murphy-present.

(8) Councilmember Killea-present.

Clerk-Abdelnour (eb,mp)

Mar-17-1981 ITEM-300:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-not present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Golding-present.

Councilmember Williams-present.

Councilmember Schnaubelt-not present.

Councilmember Gotch-present.
Councilmember Murphy-present.
Councilmember Killea-not present.

Mar-17-1981 ITEM-30:

DESCRIPTION:

Approval of the Council Minutes for the Meetings of: 02/16/81 P.M. Adjourned
02/17/81 A.M. and P.M.

FILE: MEET

COUNCIL ACTION:

(Tape location: H571-580).

Approved.

MOTION BY GOTCH TO APPROVE THE MINUTES. Second by Murphy. Passed by the
following vote: Mitchell-not present. Cleator-yea. Golding-yea.

Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea.

Ma

Wilson-not present.

Mar-17-1981 * ITEM-100:

DESCRIPTION: Three Resolutions relative to AWARDING CONTRACTS:

Subitem-A: (R-81-1510)

Case Power and Equipment for the purchase of FOUR 1981 MODEL CASE 580-C
EXTENDAHOES WITH POWER SHUTTLE TRANSMISSION for a total cost including tax,
terms and trade-in allowance of \$47,582.40; authorizing the AUDITOR AND
COMPTROLLER to TRANSFER \$47,582.40 within WATER REVENUE FUND (41502) from
UNALLOCATED RESERVE (70679) to WATER MAIN MAINTENANCE (705402).
BID-3880L

Subitem-B: (R-81-1515)

R.J. Supply Co. for the purchase of ROLLED PAPER TOWELS for SAN DIEGO STADIUM
as may be required for a one-year period ending February 28, 1982, for an
estimated cost including tax and terms of \$41,510.45. BID-3836

Subitem-C: (R-81-1512)

Fuller Ford for the purchase of ONE LIFEGUARD PICKUP (FORD BRONCO) (4 x 4) for
an actual cost including tax and terms of \$10,827.90. BID-3772Q

FILE: MEET

COUNCIL ACTION:

(Tape location: D159-233;H637-667)

Subitem-A adopted as Resolution R-253793.

Subitem-B trailed.

Subitem-C adopted as Resolution R-253794.

MOTION BY MURPHY TO ADOPT SUBITEMS-A AND C AND TRAIL SUBITEM-B FOR ADDITIONAL

INFORMATION. Second by Gotch. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Subitem-B adopted as

Resolution R-253810.

MOTION BY GOTCH TO ADOPT SUBITEM B. Second by Cleator. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea.

Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea.

Ma

Wilson-not present.

Mar-17-1981 * ITEM-102:

DESCRIPTION: (R-81-1511) INVITING BIDS for the CONSTRUCTION of SAN MIGUEL AVENUE STORM DRAIN on Specifications Document No. A-00178; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER an amount not to exceed \$60,000 from FUND

18515, DEPARTMENT 5920, ORGANIZATION 5921, FIFTH YEAR CDBG FUNDS for the GOLDEN HILL STREET AND ALLEY IMPROVEMENTS to FUND 18515, DEPARTMENT 5920,

ORGANIZATION 5928, SAN MIGUEL AVENUE DRAIN; authorizing the EXPENDITURE not to

exceed \$35,200 from CIP-11-178, FUND 30245 and \$60,000 from FUND 18515, DEPARTMENT 5920, ORGANIZATION 5928, BALBOA/ECC SAN MIGUEL AVENUE DRAIN for

said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves. BID-3883 (Estimated construction contract \$67,000. Chollas Park Community area. DISTRICT-4.)

FILE: A-00178

COUNCIL ACTION:

(Tape location: H668-709).

Adopted as Resolution R-253811.

MOTION BY CLEATOR TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not

present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor

Wilson-not present.

Mar-17-1981 * ITEM-105:

DESCRIPTION: (R-81-1569) Authorizing the SALE BY NEGOTIATION of LOTS 12 and 13 of DALEY BUSINESS PARK UNIT NO. 3, for the sum of \$450 to Daley Corporation and Town and Country Development, Inc.; authorizing the execution of a QUITCLAIM DEED quitclaiming to Daley Corporation and Town and Country Development, Inc., said property; determining that no broker's commission shall be paid by City on said negotiated sale. (DISTRICT-5.)

FILE: DEED F-786

COUNCIL ACTION:

(Tape location: I025-037).

Adopted as Resolution R-253812.

MOTION BY GOLDING TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 * ITEM-113:

DESCRIPTION: (R-81-1499) Authorizing the execution of a FIRST AMENDMENT to AGREEMENT with the Department of Fish and Game, State of California which EXTENDS for an ADDITIONAL FIVE YEAR PERIOD that AGREEMENT dated October 1, 1975; which provides for each agency to stock 16,000 pounds of trout in San Vicente Reservoir annually.

FILE: MEET

COUNCIL ACTION:

(Tape location: I038-077).

Continued to March 23, 1981.

MOTION BY MURPHY TO CONTINUE FOR ONE WEEK AT CITY MANAGER BLAIR'S REQUEST.

Second by Gotch. Passed by the following vote: Mitchell-not present.

Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 * ITEM-114:

DESCRIPTION: (R-81-1581) Authorizing the execution of TASK ORDER NO. 8, AMENDMENT NO. 2 of the AGREEMENT with CH2M Hill California, Inc., Lowry and Associates, Boyle Engineering Corporation, John Carollo Engineers, and Rick Engineering Company in connection with the SOUTH BAY WASTEWATER SYSTEM AND RELATED FACILITIES - PUBLIC PARTICIPATION PROGRAM. (Various Community areas. DISTRICTS-2 and 8.)

FILE: CONT CH2M Hill

COUNCIL ACTION:

(Tape location: D238-374).

Adopted as Resolution R-253795.

MOTION BY KILLEA TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-nay. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-150:

DESCRIPTION: (R-81-1450) Confirming the APPOINTMENTS by the Mayor of FORREST SHUMWAY and RAYMOND PEIRCE to the ECONOMIC DEVELOPMENT CORPORATION BOARD OF

DIRECTORS, to fill the vacancies caused by the resignations of Morris Sievert and E. L. McNeely. (See Rules Committee Consultant Analysis RULES-81-3.)

COMMITTEE ACTION:

Reviewed by RULES on 3/2/81. Recommendation to ADOPT the Resolution. Districts 1, 2, 8 and Mayor voted yea. District 4 not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: I078-082).

Adopted as Resolution R-253813.

MOTION BY GOLDING TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-200:

DESCRIPTION: (R-81-1513) AWARDING A CONTRACT for the purchase of WATER METERS

AND PARTS as may be required for a period of one year ending February 28, 1982, as follows: (1) Carlon Meter Company for Schedule I, Items 1, 2, 3, 4 and 6 and for parts for Carlon meters, with an option to renew for an additional one year period at prices not to exceed 14% of bid prices; (2) Rockwell International for Schedule I, Item 5 and Schedule III, Item 2 and for parts for Rockwell meters, with an option to renew for an additional one year period at prices not to exceed 10% of bid prices; (3) Badger Meter, Inc. for Schedule II, Items 1, 3 and 6 and Schedule III, Items 1 and 3 and parts for Badger meters, with an option to renew contract for an additional one year period at prices not to exceed 5.5% of bid prices; (4) Neptune Water Meter Company for Schedule II, Items 2 and 4 and parts for Neptune meters, with an option to renew for an additional one year period at prices not to exceed 9% of bid prices; (5) Hersey Products, Inc., for Schedule II, Item 5 and Schedule IV, Items 1 and 2 and parts for Hersey meters; and (6) Muesco Controls, Inc., M & C Div. for parts for various water meters, for an actual estimated cost, including tax and terms, of \$780,880.84. BID-3763

FILE: MEET

COUNCIL ACTION:

(Tape location: I112-123).

Adopted as Resolution R-253815.

MOTION BY MURPHY TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-201:

DESCRIPTION: (R-81-1582) Authorizing the execution of TASK ORDER NO. 3 of AGREEMENT with Brown and Caldwell-Heery, for CONSTRUCTION MANAGEMENT SERVICES

for Point Loma Accelerated Projects; authorizing the EXPENDITURE of \$1,050,816 from CIP-46-009 for this project. (Point Loma Community Area. DISTRICT-2.)

FILE: MEET

COUNCIL ACTION:

(Tape location: I125-142).

Adopted as Resolution R-253816.

MOTION BY MURPHY TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-203:

DESCRIPTION: Two Resolutions relative to the offer by KNOTTS Berry Farm to donate one of its TROLLEY CARS as a gift to San Diego: (See City Manager Report CMR-81-101.)

Subitem-A: (R-81-1598)

Accepting the above TROLLEY CAR for use on the Gaslamp Quarter/Centre City Trolley Line; extending a declaration of gratitude and thanks to Knotts Berry Farm for the generous gift of the trolley car; approving and accepting the letter offer of the Gaslamp Quarter Association to move the trolley car to San Diego and assume responsibility for its safe keeping and improvements until it can be placed into operational service at a cost not to exceed \$5,000.

Subitem-B: (R-81-1604)

Acknowledging and accepting the generous gift of \$5,000 from Mr. L. J. Cella and publicly extending to Mr. Cella a declaration of gratitude for that act of civic generosity on behalf of the Council and the citizens of San Diego; declaring that after receipt of said donation, the CITY MANAGER is authorized to accept the letter offer of the Gaslamp Quarter Association to relocate and

rehabilitate the trolley at a cost not exceeding \$5,000.

FILE: MEET

COUNCIL ACTION:

(Tape location: C099-192)

Subitem-A adopted as Resolution R-253796.

Subitem-B adopted as Resolution R-253797.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-206:

DESCRIPTION: Matter of a STATUS REPORT from the City Manager on the review of the City's potentially surplus lands.

FILE: MEET

COUNCIL ACTION:

(Tape location: E015-052).

Continued to March 23, 1981.

MOTION BY KILLEA TO CONTINUE TO MARCH 23, 1981, AT CITY MANAGER BLAIR'S

REQUEST. Second by Gotch. Passed by the following vote: Mitchell-not present. Cleator-not present. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

Mar-17-1981 ITEM-310:

DESCRIPTION: Proclaiming March 15 through March 21, 1981, to be ECONOMIC AWARENESS WEEK.

FILE: MEET

COUNCIL ACTION:

(Tape location: E053-187).

Proclaimed.

Mr. Howard Ruff, who was welcomed and invited to the podium by Mayor Wilson, spoke on the subject of economic awareness. Mayor Wilson presented Mr. Ruff with a key to the city.

Mar-17-1981 ITEM-330:

FILE:

DESCRIPTION:

(Continued from the Meeting of February 10, 1981 at Gerald Trimble's request.)

Matter of REZONING all of BLOCKS 37, 44 and 45, NEW SAN DIEGO, MAP-456 and NEW

TOWN PARK (PLAZA DE PANTOJA), (approximately 8.22 acres), located south of "E" Street between Kettner Boulevard and Columbia Street, in the Centre City Community Plan and Marina/Columbia Redevelopment Plan areas, from ZONE M-1 to ZONE R-3. (Case-5-80-103. DISTRICT-8.)

Subitem-A: (R-81-1296)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-76-09-37 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81-1297)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-76-09-39 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-C: (O-81-170)

INTRODUCTION of an ORDINANCE for R-3 Zoning.

Subitem-D: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-76-09-37.

Subitem-E: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-76-09-39.

FILE: ZONE 3/17/81

COUNCIL ACTION:

(Tape location: A030-093)

Subitem-A adopted as Resolution R-253798.

Subitem-B adopted as Resolution R-253799.

Subitem-C introduced as amended, to be adopted March 30, 1981.

Subitem-D adopted as Resolution R-253800.

Subitem-E adopted as Resolution R-253801.

Hearing began 8:42 a.m. and halted 8:47 a.m.

Testimony in favor by Mike Madigan.

Councilmember Schnaubelt entered 8:45 a.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEMS-A, B, D, E, AND INTRODUCE

SUBITEM-C AS AMENDED WITH THE EFFECTIVE DATE SEPTEMBER 18, 1981. Second by

Golding. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-no

present. Mayor Wilson-not present.

Mar-17-1981 ITEM-331:

DESCRIPTION: (R-81-1360) a - ADOPTION of the CENTRE CITY/PACIFIC HIGHWAY CORRIDOR REPORT, LAND USE PLAN and incorporating it into the Centre City San Diego Community Plan adopted by the City Council on May 12, 1976 by Resolution R-215956. b - SUBMITTAL of the CENTRE CITY/PACIFIC HIGHWAY CORRIDOR REPORT and

the CENTRE CITY SAN DIEGO COMMUNITY PLAN to the California Coastal Commission for their certification as the land use portion of the local coastal program, pursuant to the California Coastal Act of 1976. The Pacific Highway Corridor comprises approximately 64 acres, bounded by Witherby Street on the northwest, Pacific Highway and the 1918 Mean-High-Tide line ("the tidelands") on the southwest, Laurel Street on the southeast and I-5 on the northeast.

(DISTRICT-2 and DISTRICT-8.) Today's action is ADOPTION of a RESOLUTION adopting

report and submitting the report and the community plan to the Coastal Commission.

FILE: (LAND Centre City)

COUNCIL ACTION:

(Tape location: A094-452).

Adopted as Resolution R-253802.

Hearing began 8:48 a.m. and halted 9:12 a.m.

Councilmember Killea entered 9:04 a.m.

Testimony in opposition by Paul R. Speckman.

MOTION BY CLEATOR TO CLOSE THE HEARING, ADOPT AND DIRECT THE PLANNING

DEPARTMENT TO AMEND THE PRELIMINARY REPORT TO UPDATE THE 1995 TRANSPORTATION

PROJECTIONS MAP AND DELETE THE PROPOSED ROADWAY THROUGH THE MARINE BASE.

Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-332:

FILE:

DESCRIPTION:

Proposals to amend CHAPTER X, ARTICLE 1 of THE SAN DIEGO MUNICIPAL CODE as follows: a - Amending DIVISION 3, SECTION 101.0303 to add an exception clause to the section "Continuance of Nonconforming Uses and Structures" to allow, in cases of damage or destruction, rehabilitation and restoration of nonconforming residential projects in excess of 50% of the fair market value when a variance has been granted by the Zoning Administrator. b - Amending DIVISION 5, SECTIONS 101.0500, 101.0501 and 101.0502 to provide for Reconstruction Permits.

Subitem-A: (O-81-144)

INTRODUCTION of an ORDINANCE to amend SECTION 101.0303 of the Municipal Code; and

Subitem-B: (O-81-145)

INTRODUCTION of an ORDINANCE amending SECTIONS 101.0500, 101.0501 and 101.0502 of the Municipal Code.

FILE: MEET

COUNCIL ACTION:

(Tape location: I147-193)

Continued to March 24, 1981.

Hearing began at 5:33 p.m. and halted 5:37 p.m.

MOTION BY GOTCH TO CONTINUE TO MARCH 24, 1981, AT CITY MANAGER BLAIR'S

REQUEST. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-not present. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-333:

DESCRIPTION:

FILE:

DESCRIPTION:

REQUEST to REZONE LOTS 10 and 11, HUBNER KNOLLS ANNEX NO. 2, MAP 2784 and a portion of LOTS 30 and 31, LEMON VILLA, MAP 734 (approximately 4.0 acres), located on the south side of Chollas Parkway between 54th and Bates Streets, in the Mid-City Development Plan area, from ZONE R-1-5 to ZONE R-2. (Case-5-80-073. DISTRICT-7.)

Subitem-A: (R-81-1574)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-07-30P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-195)

INTRODUCTION of an ORDINANCE for R-2 Zoning.

FILE: ZONE 3/17/81

COUNCIL ACTION:

(Tape location: C201-D082).

Subitem-A filed.

Subitem-B filed.

Hearing began 10:22 a.m. and halted 10:55 a.m.

Testimony in opposition by Bill Carpenter, Helen Lepovitz, Ruth Vanderford, Martha Lembeck and George Stevens.

MOTION BY KILLEA TO CLOSE THE HEARING AND DENY THE REQUEST. Second by Golding. Passed by the following vote: Mitchell-yea. Cleator-nay.

Golding-yea. Williams-not present. Schnaubelt-nay. Gotch-yea. Murphy-yea.

Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-334:

FILE:

DESCRIPTION:

LOT 190, COLLWOOD PARK UNIT NO. 2, MAP NO. 2495 and a portion of MONTEZUMA ROAD CLOSED (approximately .16 acres), located on the south side of Montezuma Road between Rockford Drive and 63rd Street, in the State University Community Plan area. 1 - REZONE the property from ZONE R-2 to ZONE R-3; (Case-5-80-101. DISTRICT-7.) 2 - An APPEAL of PATRICIA J. HANNUM, from the decision of the PLANNING COMMISSION in APPROVING CONDITIONAL USE PERMIT NO. 10-622-0 to provide a fraternity residence and meeting place within a close proximity to the University campus, with parking and landscaping located on the real property described above. (CUP NO. 10-622-0)

Subitem-A: (R-81-1481)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-11-08 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-186)

INTRODUCTION of an ORDINANCE for R-3 Zoning.

Subitem-C: (R-81-)

Adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

Subitem-D: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-11-08.

FILE: ZONE 3/17/81 PERM CUP-10-622-0

COUNCIL ACTION:

(Tape location: E195-G073)

Continued to September 29, 1981, at 2:00 p.m.

Hearing began at 2:25 p.m. and halted at 3:42 p.m.

Councilmember Mitchell arrived at 2:41 p.m.

Councilmember Williams left at 2:40 p.m. and returned at 2:44 p.m.

Testimony in favor by D. Case, Jim Ashcraft, D. Chambers, Ron Sinclair, P. Cassman, and R. Codeman.

Testimony in opposition by A. Hannum, P. Hannum, Susanne Gardner, C. Janeck, and G. Regas.

MOTION BY MURPHY TO CONTINUE TO SEPTEMBER 29, 1981, AT 2:00 P.M. Second by

Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-yea. Mayor Wilson-yea.

Mar-17-1981 ITEM-335:

FILE:

DESCRIPTION:

(Continued from the Meeting of March 3, 1981 at the Planning Department's request.) Proposal to amend Chapter X, Article 1 of the San Diego Municipal Code by AMENDING DIVISION 1, SECTIONS 101.0101.25, 101.0101.35, 101.0101.50.3, 101.0101.50.4 and 101.0101.62; DIVISION 5, SECTION 101.0503; and ADDING DIVISION 12, SECTIONS 101.1201 through 101.1206; and amending Chapter X, Article 3, Division 1 by AMENDING SECTION 103.0101 all relating to SOLAR ENERGY SYSTEMS.

Subitem-A: (R-81-1383)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-03-04 has been completed in compliance with the California Environmental Quality Act of 1970 and State

guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-78)

INTRODUCTION of an ORDINANCE amending the Municipal Code.

FILE: MEET

COUNCIL ACTION:

(Tape location: I198-268)

Subitem-A adopted as Resolution R-253817.

Subitem-B introduced as amended, to be adopted March 30, 1981.

Hearing began at 5:37 p.m. and halted at 5:42 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEM A, AND
INTRODUCE SUBITEM B

AMENDING THE ORDINANCE BY DELETING THE SECTION CONCERNING
ENCLOSURE OF SOLAR

ENERGY SYSTEMS. Second by Schnaubelt. Passed by the following vote:

Mitchell-not present. Cleator-not present. Golding-yea. Williams-not
present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor
Wilson-not present.

Mar-17-1981 ITEM-336:

FILE:

DESCRIPTION:

APPEAL of SAN DIEGO INTERFAITH HOUSING FOUNDATION, by Lynn Skinner, from
the
decision of the PLANNING COMMISSION in DENYING CONDITIONAL USE PERMIT NO.
10-619-0 for an 88-unit senior citizen housing project with parking and
landscaping on 2.26 acres in the R-1-5 ZONE. The subject property is located
on the west side of 53rd Street between Quince and Redwood Streets, in the
Mid- City Development Plan area and is more particularly described as a
portion of the NORTHWEST 1/4 of SECTION 34, TOWNSHIP 16 SOUTH, RANGE 2 WEST,
S.B.B.M. (CUP-10-619-0. DISTRICT-3)

Subitem-A: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in
ENVIRONMENTAL NEGATIVE DECLARATION END-80-10-26 has been completed in
compliance with the California Environmental Quality Act of 1970 and State
guidelines, and that said report has been reviewed and considered by the
Council.

Subitem-B: (R-81-)

Adoption of a RESOLUTION granting or denying the appeal and the permit with

appropriate findings to support Council action.

FILE: PERM CUP-10-619-0

COUNCIL ACTION:

(Tape location: G307-H555)

Subitem-A adopted as Resolution R-253818.

Subitem-B adopted as Resolution R-253819.

Hearing began at 4:19 p.m. and halted at 5:16 p.m.

Testimony in favor by Lynn Skinner, L. Hancock, Pastor Morton, Dale Nicholson, and Marshall Scoul.

Testimony in opposition by C. Erickson, T. Ulovec, M. Swede, C. Edgar, and J. Swede.

Councilmember Gotch left at 4:26 p.m. and returned at 4:27 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEM A, AND ADOPT SUBITEM B

GRANTING THE APPEAL AND THE PERMIT. Second by Killea. Passed by the following vote: Mitchell-nay. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-S401:

DESCRIPTION: (R-81-1625) AWARDING A CONTRACT to T.W.W. for the purchase of FENCE MATERIAL for an actual cost, including tax & terms, of \$15,399.69.

BID-3888Q

FILE: MEET

COUNCIL ACTION:

(Tape location: D089-155).

Adopted as Resolution R-253804.

Motion by Gotch to adopt. Second by Killea. Failed by the following vote:

Yeas-1, 5, 6, 8. Nays-2, 7. Not present-3, 4, M.

Motion by Cleator to reconsider. Second by Gotch. Passed by the following vote: Yeas-1, 2, 3, 5, 6, 7, 8. Nays-None. Not present-4, M.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-S402:

DESCRIPTION: (R-81-1639) Requesting the California Coastal Commission to EXTEND the MORATORIUM on development of the site for the proposed Wastewater Secondary Treatment Facility at 27th and Sunset Streets in the Tia Juana River Valley for a period of twelve months. (See City Manager Report CMR-81-108. Otay Mesa-Nestor Community Area. DISTRICT-8.)

FILE: MEET

COUNCIL ACTION:

(Tape location: A572-C091).

Adopted amended as Resolution R-253805.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present.

Schnaubelt-nay. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-S403:

FILE:

DESCRIPTION:

(Continued from the Meetings of December 15, 1980 and January 5, March 2 and March 9, 1981; last continued due to lack of time.) Matter of a REPORT from the CITY MANAGER regarding a RESPONSE to the HOUSING COMMISSION'S RECOMMENDATIONS presented at the Joint City Council/Housing Commission meeting of October 27, 1980.

FILE: MEET

COUNCIL ACTION:

(Tape location: E015-052).

Continued to March 23, 1981.

MOTION BY KILLEA TO CONTINUE TO MARCH 23, 1981, AT CITY MANAGER BLAIR'S

REQUEST. Second by Gotch. Passed by the following vote: Mitchell-not present. Cleator-not present. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

Mar-17-1981 ITEM-S404:

DESCRIPTION: Matter of a Resolution urging Governor Brown and the State Department of Corrections to seriously consider purchasing the Kuebler Ranch site for the purpose of constructing and operating a DETENTION FACILITY; declaring that the City is willing to work with the State Department of Corrections to find a site in the Otay Mesa area which is mutually acceptable to the City and the State if the Kuebler Ranch site is unacceptable to the State Department of Corrections. (Initiated by Councilwoman Killea.)

FILE: MEET

COUNCIL ACTION:

(Tape location: G093-301).

Adopted as Resolution R-253820.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-S500:

DESCRIPTION: (Continued from the Meeting of March 10, 1981 at Bruce Warren's request.) REZONING a portion of the SOUTHEAST 1/4 of the NORTHWEST 1/4 of SECTION 10, TOWNSHIP 15 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 17 acres), located at the extension of Nancy Ridge Drive, westerly of Carroll Road, in the Mira Mesa Community Plan area, from ZONE A1-10 (Hillside Review) to ZONE M-1B. (Case-5-80-032. DISTRICT-1.)

Subitem-A: (R-81-1426)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-07-14 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-181)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

Subitem-C: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-07-14.

FILE: ZONE 3/17/81)

COUNCIL ACTION:

(Tape location: A470-560)

Subitem-A adopted as Resolution R-253806.

Subitem-B introduced, to be adopted March 30, 1981.

Subitem-C adopted as Resolution R-253807.

Hearing began 9:13 a.m. and halted 9:18 a.m.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEMS-A AND C AND INTRODUCE

SUBITEM-B. Second by Murphy. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-17-1981 ITEM-CS-1:

DESCRIPTION:

(R-81-1690) A Resolution adopted by the City Council in Closed Session on March 17, 1981:

Authorizing the City Manager to accept the Flowage Easement Deed executed by

Polly D. Wright, et al. for portions of Villa Lots 366 and 367, Valle Vista Terrace as part of the settlement in the matter of the City of San Diego v. the Chapman Brothers, Inc., San Diego Superior Court Case 380610; authorizing the expenditure of \$5500 out of Capital Outlay Fund for the acquisition of the above referenced flowage easement; authorizing the City Auditor and Comptroller to transfer \$5500 from CIP 90-245 (Capital Outlay Fund Reserve) to CIP 52-077.2 (Adams Avenue Street Improvement); determining that the acceptance of the above-referenced deed is part of the settlement in the matter of the above referenced law suit; authorizing the City Auditor and Comptroller to issue one check in the amount of \$6000 payable to Chapman Brothers, Inc. in settlement of the above referenced law suit and above referenced deed.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-253808.

Mar-17-1981 ITEM-CS-2:

DESCRIPTION:

(R-80-1691) A Resolution adopted by the City Council in Closed Session on March 17, 1981:

Authorizing the City Auditor and Comptroller to transfer the amount of \$50,000 from Community Development Block Grant Fund 18516, Department 5965, ORG 6511 (CDBG 1980 South Chollas Creek Flood Control III-B) to CDBG Fund 18516, Dept. 5965, ORG 6518 (South Chollas Creek Flood Channel Phase I), expending the above amount for payment of settlement costs for the acquisition of the two parcels of property which are the subject of eminent domain proceedings - City of San Diego v. Ronald W. Argall et al., San Diego Superior Court Case 437161.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-253809.

Mar-17-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent, Chairperson Killea adjourned the meeting at 5:42 p.m.

FILE:

DESCRIPTION:

(R-81-1352) (Continued from the Meeting of March 2, 1981 at Councilman Schnaubelt's request.) Authorizing the CITY MANAGER to file a NOTICE OF INTENT to exercise the City's lease option with the San Diego City Employees' Retirement System to PURCHASE the Centre City Administration Building; approving the EXPENDITURE, not to exceed \$1,750,000 from the COMMUNITY CONCOURSE ACQUISITION FUND 10321 for the purpose of BUYING

BACK

said building from the Retirement System. (See City Manager Report CMR-81-43. Centre City Community Area. DISTRICT-8.)

COMMITTEE ACTION:

Initiated by PFR on 2/18/81. Recommendation to ADOPT the Resolution.

Districts 2, 6 and 7 voted yea. Districts 3 and 5 not present.

FILE: LEAS Retirement System, City Employees

COUNCIL ACTION: (Tape location: I082-111).

Adopted as amended as Resolution R-253814.

MOTION BY SCHNAUBELT TO ADOPT THE RESOLUTION AMENDING THE FINANCING PLAN

DEFERRING PURCHASE OF THE CENTRE CITY ADMINISTRATION BUILDING TO JUNE 30,

1982; AND DIRECTING THE AUDITOR AND COMPTROLLER TO RETAIN THE INVESTMENT

EARNINGS AND ALSO THAT THE AMOUNT OF MONEY NEEDED WILL BE \$1,600,000.

Second by Gotch. Passed by the following vote: Mitchell-not present.

Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

DESCRIPTION:

Two Ordinances relative to LITTER CONTROL and CITATION AUTHORITY: (See City Manager Report CMR-81-78.)

Subitem-A: (O-81-194)

Amending Chapter IV, Article 4, of the San Diego Municipal Code by ADDING SECTIONS 44.0115, 44.0116, 44.0117, 44.0118, 44.0119, 44.0120, 44.0121, 44.0122, 44.0123 and 44.0124 relating to WASTE MATERIAL, RUBBISH, and LITTER CONTROL.

Subitem-B: (O-81-193)

Authorizing designated employees of the City to EXERCISE the POWERS OF ARREST pursuant to Penal Code Section 836.5.

COMMITTEE ACTION:

Reviewed by PSS on 2/25/81. Recommendation to INTRODUCE the Ordinances.

Districts 1, 3, 6, 7 and 8 voted yea.

FILE:

COUNCIL ACTION: (Tape location: H581-636)

Subitem-A Introduced, to be adopted March 30, 1981.

Subitem-B introduced, to be adopted March 30, 1981.

MOTION BY CLEATOR TO INTRODUCE SUBITEMS A AND B. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea.

Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea.
Murphy-yea. Killea-yea. Mayor Wilson-not present.